

CHURCH AND STATE

A MONTHLY REVIEW



VOL. 13, NO. 10

NOVEMBER, 1960

Rosh Hashana Holy Days Make Church-State Problem

When the fall session of the U.N. happened to coincide with the dates of the Rosh Hashana Jewish Holy Days, there were complications involving the New York City police department. 1300 of the 24,000-man force are Jewish and, being Jewish, they like to take off when the Holy Days come around.

With a gargantuan security job involving not only Premier Khrushchev and Premier Castro but the chiefs of state of many nations of the world, Police Commissioner Stephen P. Kennedy cancelled all leaves, including those for the Holy Days. When the Jewish policemen objected Mr. Kennedy had some caustic comments. "Now when are these men religious?" he wanted to know. "Did they quit every Friday at sundown? Or is it just during this period of emergency?"

"We have separation of church and state in this country under the constitution, and I will not succumb to any political, religious or racial pressure group."

Reaction was swift. New York's Board of Rabbis branded the Commissioner's remarks (which had been made on television) as "scurrilous" and "defamatory." Well aware of the enormous army of Jewish voters in New York City, Mayor Robert Wagner summoned a delegation of the rabbis to his office and tendered his own apology for Mr. Kennedy's remarks. Then he gave Mr. Kennedy an ultimatum, ordering that he, too, apologize to the Jewish leaders "within the next forty-eight hours."

Apology Denied

No apology was forthcoming from Mr. Kennedy, however, and Mayor Wagner backed down as he usually does in such cases. Mr. Kennedy said: "This is not a matter for an apology. . . . There was no intention

(Continued on page 5)

Senator Kennedy's Frank Credo Impresses Clergy at Houston

Senator John F. Kennedy, the Democratic nominee for President, gave a ringing declaration of steadfastness in resistance to clerical pressures in an appearance before the Protestant clergy of Houston, Tex. on Sept. 12. (His credo was marred by one item of misinformation discussed on our editorial page). Dr. Henry Pitt Van Dusen, President of Union Theological Seminary, said that in the Houston statement Senator Kennedy had given "a clear and unambiguous affirmation of his stand on the controverted issues contrary to his Church's position."

Specifically, Senator Kennedy asserted his stand "against an ambassador to the Vatican, against unconstitutional aid to parochial schools and against any boycott of the public schools. . . ." His use of the phrase "boycott of the public schools"—an expression originated by POAU to describe Catholic school policy—was considered especially significant.

Senator Kennedy did more. He stated that if ecclesiastical pressures should sometime mount to the point where he felt he could no longer resist them, he would resign as President. His actual words: "If the time should ever come—and I do not concede any conflict to be even remotely possible—when my office would require me to either violate my conscience or violate the national interest, then I would resign the office, and I hope any conscientious public servant would do the same."

The Answer Was "No"

To this must be added a word of Senator Kennedy at Modesto, Calif. on Sept. 9. This word bears on the senator's attitude regarding religious freedom. Someone from the crowd shouted: "Do you believe all Protestants are heretics?" To this the senator replied: "No. . . ." His reply was acclaimed with enthusiasm since at least a part of the crowd realized that the most authoritative and solemn dogmas of Senator Kennedy's church stipulate that the correct answer to this question is "Yes."

To a question as to whether, if elected President, he would use his influence to get Roman Catholic countries of Spain and South America to stop persecuting Protestant missionaries and to give Protestants equal religious rights, Senator Kennedy did not directly reply. He did say in his address that he believed an America where "all men and all churches are treated as equal . . . and where Catholics, Protestants and Jews, both the lay and pastoral level, will refrain from those attitudes of disdain and division which have so often marred their works in the past. . . ."

Authorities in church-state matters agreed that Senator Kennedy had, in these matters regarding religious freedom and separation of church and state, placed himself in diametric opposition to the views of his church, as a "bad Catholic" in such matters, he was asserting that he could be a "good president."

Fr. Weigel Clarifies

A Resolution of the unfortunate dichotomy in which Senator Kennedy's credo had involved him was undertaken by a Jesuit priest, Fr. Gustave Weigel. In an address in Washington, D. C., widely billed as setting forth the official position of the bishops of the Roman Catholic Church, Fr. Weigel set up the thesis that a Roman Catholic who serves as a public official leads "a double life." He has his private worship in the Catholic Church but this does not affect his civil responsibilities which belong in a different realm.

(Continued on page 8)

The Tumult and The Shouting

The dither over the 1960 election will soon be past. Suspense will be succeeded by the reality of decision. There has been widespread church-state concern because of the presence of a Roman Catholic on the ticket. The legitimate aspect of this concern was, we believe, expressed by POAU in its "Questions for a Roman Catholic Candidate" published in January, 1957.

Yet the 1960 election campaign as such has not been an area of POAU activity. There is a sense, indeed, in which the election is quite irrelevant to our program. The mandate received from our founders thirteen years ago is to educate the public as to the advantages of the American principle of church-state separation and particularly, to defend the money line between the state and the church. Our responsibility in this area will be the same after the election as before.

We are confronted today with a clerical conspiracy. The nation's largest and most powerful church is openly driving for government subsidies to its schools and other institutions. It seeks to bring to the United States the same agony it has inflicted on countless other lands.

If Vice President Nixon wins, the bishops will continue their drive for tax support both in the Congress and in the states. If Senator Kennedy wins, the bishops will do the same thing. The campaign to change the American tradition in church and state will go on.

POAU proposes to continue its legal and educational program regardless of who wins and who loses. We shall defend the money line against the predatory assaults of any church—even the largest and strongest. We intend to do this before as after and after as before.

+

Who Represents Protestants?

In a recent statement attacking POAU Dr. Reinhold Niebuhr, dean emeritus of Union Theological Seminary, and Dr. John C. Bennett, present dean, repeated an allegation they have made before: that POAU does not represent Protestants. The impli-

cation is always the same—that while neither POAU nor anybody else represents Protestants, *they* really do.

Despite their oft-repeated protestations, we doubt that Dr. Niebuhr and Dr. Bennett represent Protestants. Let it be recalled, so far as the present context is concerned, that these men are both professional politicians. They are vice presidents of a political party committed to one political slate. It is a splinter group, to be sure, but it actually endorses candidates, usually the Democratic nominees, and works for their election.

It should be recalled, too, that both Dr. Niebuhr and Dr. Bennett in 1948 signed a statement attacking the Supreme Court's interpretation of separation of church and state. Their language was almost as severe as that employed by the Roman Catholic bishops in their similar attack on the court made at about the same time. Both Dr. Niebuhr and Dr. Bennett have publicly favored payment of some tax funds to Catholic schools. Dr. Bennett favors payment for both textbooks and buses. While these leaders who claim to represent Protestantism have not yet come out for complete tax support of Roman Catholic schools, their thinking seems to run in that direction.

We are convinced that most Protestants will not follow Dr. Niebuhr and Dr. Bennett in this direction. We like these men, admire them in many ways, but we reject their claim to represent Protestants on issues such as these. They proclaim themselves as liberals. In the field of church-state relations they are reactionary. They are, in fact, suffering from a hang-over of medievalism.

+

Does Kennedy Mislead Public on 1948 Bishops' Statement?

One utterance of Senator John F. Kennedy's otherwise excellent statement to the Protestant ministers at Houston struck a sour note. He said: "I support (the separation of church and state), and in my judgment the American Bishops' statement of 1948 clearly supported it."

Was there an attempt here by Senator Kennedy or his advisers to mislead the public? There were, curi-

ously, *two* statements released by the Catholic bishops in 1948 both dealing with separation of church and state. The first, Jan. 26, was released by Archbishop John T. McNicholas as head of the Catholic Welfare Conference. A few sentences from this statement have become a favorite propaganda tool to "prove" that the Roman Catholic Church in the United States favors separation. It says: "We deny absolutely and without qualification that the Catholic bishops of the United States are seeking a union of church and state. . . ."

But this statement nowhere abdicates financial claims of the Roman Church upon the public treasury. This is the crucial thing; mere mouthings about not seeking a union of church and state mean nothing unless the money claims are specifically renounced. The Democratic National Committee, with evident deliberate intent, left out key sentences of the McNicholas statement which substantially alter the meaning. He declared ". . . that there is no authoritative interpretation of the First Amendment declaring unconstitutional federal aid for children attending other than tax supported schools. The country shows many precedents of government aid to private schools."

Why did the Democratic National Committee omit these words?

(Continued on page 8)

Church and State

Published Monthly (except August) by
Protestants and Other Americans United for
Separation of Church and State
DEcatur 2-4044

1633 Mass. Ave., N. W. Washington 6, D. C.
Minimum Annual POAU Membership \$5.00.
\$3.00 of which is for annual Subscription to
Church and State

Second class postage paid at Washington, D. C.
Member of Associated Church Press

Honorary President Honorary Vice-President
Charles C. Morrison J. M. Dawson

Honorary Treasurer
E. H. DeGroot, Jr.

President Treasurer
Louie D. Newton Harold C. Fitz

Recording Secretary
Herbert S. Southgate

Vice-Presidents
G. Bromley Oxnam John A. Mackay
Dick H. Hall

Executive Director Associate Director
Glenn L. Archer C. Stanley Lowell

Director of Organization
John C. Mayne

Board of Trustees
The Officers, with

Miss Charl Ormond Williams, Clyde W. Taylor,
Ellis H. Dana, W. K. Haddock, C. Emanuel Carlson,
Theodore H. Palmquist, Frank W. Blackwelder,
W. Stanley Rycroft, John C. Thompson,
W. Melvin Adams

Editors
Glenn L. Archer C. Stanley Lowell

Contributing Editors
John C. Mayne John Waring
Gaylord Briley Elaine Bowers

CHURCH AND STATE

NEWS From Far and Near

◆ The two parochial schools which operate with full freedom in the Helsinki, Finland diocese of Roman Catholic Bishop William Cobben have 438 non-Catholic pupils and only 77 Catholic children. There are only 2,188 known Roman Catholics among Finland's 4½ million population. The overwhelming majority are Lutheran which is the established religion.

◆ Dr. John G. H. Holt of Bilthoven, Holland, a Benedictine Oblate, reported that new research has perfected the "rhythm method" of birth control. He said that he had developed this method to the point where it could be used with "complete certainty" by all women.

◆ The government of Ceylon, a predominantly Buddhist country, has announced that it would take over church schools, many of which have received state support. The schools, both Roman Catholic and Protestant, are to receive no compensation.

◆ A story in *The Japan Times*, Sept. 14, traces the religious tensions that are involved in the struggle for power in the Congo. The President, Joseph Kasavubu, is a Catholic, grew up in Catholic schools, feels obligated to the Roman Catholic Church. The premier, Patrice Lumumba, not a Catholic, is suspicious of the church's ambitions and has accused Catholic authorities of working against him, partly because he wants church-state separation.

◆ A demonstration of religious bigotry at the Olympic games has been made public by "Christianity Today." Although the great majority of the Olympic contestants were Protestants, Msgr. Nicola Pavone, a Roman Catholic priest who headed the Olympic Committee for Religious Assistance, denied repeated requests to admit Protestant clergymen from Olympic Village. He would not even permit a Protestant to serve on his committee. Only the collapse and death of a Lutheran cyclist, Knut Enemark Jansen, who had to die unattended by a minister, broke the Catholic ban.

◆ The Roman Catholic hierarchy of Puerto Rico has been using parish churches as political headquarters to enroll members in its new Catholic Christian Action party. Party emblems—a rosary emblazoned on a background of yellow and white—were hung from church gates and school doors.

◆ The Communist government of East Germany has barred Archbishop Corrado Bafile, the papal envoy, from that country.

◆ The new President of the United Nations, Frederick H. Boland, permanent delegate from the Republic of Ireland, is a Roman Catholic layman. He will serve for a term of one year.

◆ "El Mundo," Puerto Rico's leading daily, has pleaded with the island's Roman Catholic bishops "with the greatest respect" not to pursue their program of creating a Catholic political party. Leadership of the new party announced that it had obtained the necessary 10 percent of potential signatures in all but ten local electoral districts. Total signatures to date: 82,027.

◆ The United Church of Canada at its 19th biennial General Council in Edmonton endorsed birth control by any means available, provided it is acceptable to both husband and wife.

◆ Government grants for construction of church buildings are provided for in a bill now before the Netherlands parliament. A state commission responsible for the proposal claimed that such grants would not conflict with the principle of church-state separation nor with the Netherlands constitution.

◆ International finance note: The United States Government sent to the treasury of the Vatican City-State Government \$1,000,000 during the three-month period April-May-June, 1960, by our purchase of that much gold from the Vatican Treasury, according to an official statement of the U.S. Treasury.

◆ In a letter published in the "Irish Echo," New York, on September 24, Senator Kennedy stated he "still favors the idea" of the resolution he introduced in 1956 "favoring self-determination for the people of Ireland. This resolution was that the Republic of Ireland should embrace the entire territory of Ireland, unless a clear majority of all the people, in a free plebiscite, declared to the contrary." (This would mean engulfment of Northern (Protestant) Ireland by the more populous (Catholic) Southern Ireland).

Fair Practices Group Questions Protestant Churches Tax

The Fair Campaign Practices Committee has raised questions as to the tax status of Protestant churches which may be using some of their tax deductible gifts for the purpose of printing and distributing anti-Catholic literature of a political nature. "In my opinion," said Charles P. Taft, chairman of the group, "any church or similar organization, is jeopardizing its own tax exemption under the specific language of the . . . internal revenue code."

The Treasury Department has issued a statement saying that any complaints of this nature involving political use of church funds will be promptly investigated. (Internal Revenue is authorized to reject tax deductions claimed by individuals for contributions to tax-exempt organizations if the funds are used for political purposes).

Are Catholic Churches Included?

The threat to the Protestant churches included no mention of Roman Catholic Churches or Jewish synagogues. Actually, the Fair Campaign Practices Committee had before it complaints about use of church funds in Roman Catholic Churches for political purposes. The group's attention had been called to the activity of the Roman Catholic bishops of Connecticut who had issued a pastoral letter to be read in all pulpits there. The communication threatened with political extinction any legislators who dared to vote against a bill providing for bus transportation subsidies to Catholic schools.

Of possible interest to the committee was a pastoral letter sent out by the pastor of St. Joseph Church, Strongsville, Ohio which urged the defeat of certain members of the city council and suggested that Catholics vote against the 5 mill public school operating levy, which was subsequently defeated. The activity of the bishops of Puerto Rico who recently organized the first Catholic political party on American soil had come to their attention, also. Parish churches were actually used as headquarters to enroll members of the new political organization. Tax lawyers felt that gifts to these churches might well find their tax deductible status in jeopardy.

The Committee has shown no interest to date in any but Protestant "violations" of its fair practice code.

British Mayor's Action Stirs Religious Issue

A quaint English custom of having induction ceremonies for the mayor-elect in the local Anglican cathedral has been pointing up "the religious issue" in regard to public service by Roman Catholics. Latest instance involves John Crogan, mayor of the English town of Chester. Mr. Crogan, a Roman Catholic, led the traditional group of officials attending the annual civic service at the Anglican cathedral, a service which corresponds to the Catholic Red Mass.

But since the service was not under Roman Catholic auspices, Mr. Crogan was denounced by the local Catholic bishop, J. A. Murphy, for his attendance. Under Canon Law 1258 Roman Catholics are forbidden to attend "heretical services" like those held in the local cathedral. Mr. Crogan might have obtained special permission to go if the bishop had been willing to grant it. Apparently, however, Mr. Crogan had not even

asked and this rankled Bishop Murphy particularly.

Questions All Catholic Mayors

The Anglican bishop of Chester publicly questioned whether any Roman Catholic should accept a civil responsibility of this kind in Britain because of the clash of loyalties. He said: "Is it not open to question as to whether a Roman Catholic ought to accept such an office, if he is in conscience unable to perform the normal and reasonable duties which are required of him?"

The Crogan incident recalls many others in which Roman Catholic hierarchs have given orders to civil officials of that faith when they alleged that "moral and spiritual" matters were concerned. David Shaw, mayor-elect of Herford, England, received orders from the local cleric not to attend his own inauguration and obeyed them. (*Church and State*, Sept. 1958) A Roman Catholic priest, Canon Felix Kir, mayor of Dijon, France, was ordered by his bishop not to extend the town's greet-

ings to Premier Khrushchev when he visited there on his tour of France. He obeyed.

Senator John F. Kennedy, while a member of the U.S. House of Representatives received orders from Dennis Cardinal Dougherty of Philadelphia not to attend an inter-faith banquet in a Philadelphia hotel honoring Protestant, Jewish and Catholic chaplains who died heroically for their country. He obeyed the directive saying: "As a loyal son of the church I have no alternative but not to come."

+

No Public Funds for Parochial Buses in Lisbon, North Dakota

North Dakota has an authentic hero today. He is Rev. Kenneth B. Abel, pastor of the First Presbyterian Church of Lisbon. When Mr. Abel learned that the local school board was providing transportation for 59 students at St. Aloysius Roman Catholic school, he charged that the board was violating North Dakota law. He was supported in his charge by the Lisbon Ministerial Association. (See October 1960 *Review*).

Mr. Abel was bitterly denounced by the local Catholic priest, Rev. Aloysius O'Donoghue, whose school was profiting by the arrangement. He admitted that the school board was "winking at the law" but said it was none of Mr. Abel's business. Mr. Abel was strongly supported by the *Ransom County Gazette* but was deserted and criticized by members of his own church who did not want their business relationships disturbed.

Mr. Abel, a staunch and dour Calvinist, was not moved at all by the vituperation. It's a matter of principle, he said.

The school board hastily appealed to the state's attorney general Leslie Burgum, asking an opinion. The opinion: payment of public money to transport the St. Aloysius students constituted a misappropriation of public funds in violation of state law. The board halted the practice forthwith.

Mr. Abel, as restrained in victory as in battle, commented: "The wrong has been righted. The principle has been upheld. And now the thing is for us to dig in and build on the basis of what we have learned." Members of the First Presbyterian Church discovered that they really had quite a man in their pulpit, a man they could respect.

+



A sectarian privilege irritating to many is enjoyed by a French order of nuns, the Little Sisters of the Poor, who as regular as pay day can be observed soliciting for the Roman Catholic Church at the Pentagon. They have enjoyed a monopoly on this privilege for many years. Some years ago, after numerous complaints, they were ordered out by Pentagon officials. Strong pressure from Roman Catholic congressmen re-established them and they have been there ever since.

Saint Barbara, Catholic Patron Has Official Status at Fort Sill

The patron saint program, a device for forcing the Roman Catholic faith on military trainees, has demonstrated that it has more lives than a cat. Killed off at Ft. Benning, Ga., and Ft. Leonard Wood, Mo., it has turned up, hale and hearty and just as obnoxious as ever, at Ft. Sill, Okla. Another of the officially promoted programs under which servicemen of all faiths and none find themselves "dedicated" willy-nilly to a Roman Catholic saint, was stirring up its usual quota of resentment and low morale among the soldiers.

At the Ft. Sill Army Artillery and Missile Center, a guide for incoming personnel devotes pages 10 and 11 to the story and picture of St. Barbara, the Roman Catholic patron saint of artillerymen. A large painting of the saint hangs in the museum there. Men who graduate from the Artillery School are awarded St. Barbara certificates as "honorary gunners," bestowing on them the right "to invoke the aid of St. Barbara."

In commenting on the furor at Ft. Sill, Glenn L. Archer, POAU executive director, pointed out that St. Barbara is listed on page 271 of the 1960 *National Catholic Almanac* as a member of the pantheon of Roman Catholic saints and that the Almanac lists only saints of this denomination.


"A St. Barbara certificate issued to a Protestant at the Ft. Sill Center is in POAU's possession," he said. "It is signed by E. S. Hartshorn, Jr., Brigadier General, U.S.A., Assistant Commandant.

"The mother of one Ft. Sill soldier told me she considered it a pure insult for an officer of the U.S. Army to offer a Protestant boy a certificate authorizing him to call on a Catholic saint when in danger. This is, indeed, a kind of religious teaching which would prove offensive to many Protestants whose faith does not countenance the worship of saints," Mr. Archer added. Patron saint projects have seriously undermined the morale of our troops both here and abroad for a number of years."

Mr. Archer had reference to a bitter controversy that broke out at Fort Benning, Ga. when Col. J. T. Corley insisted on promoting St. Maurice as the patron saint of U.S. Infantry (*Review*, Nov., 1958), and a similar fracas at Ft. Leonard Wood when Col. Franklin R. Sibert overrode the objections of chaplains and men to

NOVEMBER, 1960, VOL. 13, No. 10

*U. S. Army
Artillery and Missile School*



*U. S. Army
Artillery and Missile Center*

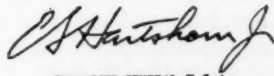
Saint Barbara

This is to certify that

having associated with field artillerymen of all ranks during the period _____ to _____

is hereby declared an **HONORARY GUNNER**. He is to be numbered among the trusty members of this brotherhood of Stonehurlers, Archers, Catapulters, Rocketeers, and Cannoneers, and hereafter is entitled to invoke the aid of Saint Barbara when in danger or distress.

Given at Fort Sill, Oklahoma.


BRIGADIER GENERAL, U. S. A.
ASSISTANT COMMANDANT

PS Form 754
(Rev) 34 Jan 57

L 122 ARMY-FT. SILL, OKLA.

Above is a photostatic copy of a Saint Barbara certificate commending the services of this Roman Catholic saint to men of all faiths who graduate from the artillery school at Fort Sill, Okla. (See adjoining column)

promote St. Maurice there. (*Review*, Jan., 1959).

As a result of POAU protests these programs were ordered discontinued by Major General R. V. Lee, adjutant general and the zealots were ordered to confine their patron saint programs "to unofficial and voluntary participation by those interested." Apparently a similar order is needed for Ft. Sill.

"The whole people must take upon themselves the education of the whole people, and must be willing to bear the expense of it."

—John Adams.
(quoted in *NEA JOURNAL* March 1960)

Rosh Hashana

(Continued from page 1)

to insult the Jewish community. . . . If the people of this city believe otherwise, it would be tantamount to believing that I am anti-Semitic. . . . There is no room for an anti-Semite in the office of police commissioner."

A new protest was immediately forthcoming from the Rabbinical Council of America urging that Jewish policemen be released from work during Yom Kippur, the other great festival of that faith. Again the protest was overruled by the commissioner. He ruled that the Jewish policemen would have to work on Yom Kippur, just as they did on Rosh Hashana. Headquarters announced, however, that such policemen will be able to take time off if they can get non-Jewish policemen to change tours of duty with them.

Church Propaganda Is Found In Armed Services Manual

An interpretation of the First Amendment heavily slanted in favor of Roman Catholic demands for public funds, is to be found in the manual "You and Your Bill of Rights" published by the Armed Forces. The item is procurable from the National Research Bureau, 415 N. Dearborn St., Chicago.

Readers of the manual are informed that the purpose of the First Amendment was to "prevent the development of a state church such as existed in England and other European countries," and to "prevent the government from favoring one religion over another." Nothing whatever is stated about the intent of the founding fathers to avoid interlocking of church and state by taking the government out of the business of promoting or financing religion.

The manual goes on to state that the U.S. Supreme Court has taken "a realistic view" of church-state relations and has approved public expenditures for chaplains in the Armed Forces and for text books and transportation for parochial schools. The implication appears to be that the government would be even more "realistic" if it provided further funds for parochial schools.

There is no indication as to the name or connection of the authors of this propaganda piece which endeavors to make it appear that the U.S. government approves financing of church schools.

✦

WHAT DOES SEPARATION MEAN?

The statement of 166 Roman Catholic laymen giving support to the principle of separation of church and state, issued Oct. 4, included three Roman Catholic members of the U. S. Senate: Sen. Eugene McCarthy, Sen. Thomas J. Dodd, Sen. Philip A. Hart. All voted for an amendment to the aid to education act in the recent (86th) Congress which would have provided Federal aid for construction of parochial schools. The amendment lost 49 to 37.

Bishop Shehan Demands a New Interpretation of 1st Amendment

Using as his springboard a Red Mass in connection with the convention of the American Bar Association, Roman Catholic Bishop Lawrence J. Shehan of Bridgeport, Connecticut, indicated that the Roman Catholic Church would insist on a re-interpretation of the First Amendment to the Federal Constitution. Speaking at the Shrine of the Immaculate Conception Aug. 28, with Chief Justice Earl Warren and two associate justices in attendance, the cleric accused the U.S. government of restricting the freedom of American Catholics by levying such high taxes that they were finding it impossible to pay for their denominational schools.

Bishop Shehan's solution: let the government share in the financing of church schools. He attacked the interpretation of the First Amendment which sees in it only the separation of church and state. "Cannot one see in the First Amendment a positive intention to further religious liberty?" he asked.

"Does the extra educational burden of those who choose religious education constitute an unreasonable limitation of parental right and an unconstitutional restriction of religious freedom?" he asked further. Consideration must be given as to "whether government is meeting its obligation to help (these parents) to exercise their rights and their liberty."

At no point in his lengthy address did Bishop Shehan refer to Canon Law 1374 of the Roman Catholic Church which denies freedom of choice in regard to schools to Catholic parents and orders them to boycott the public system unless the bishop is willing to permit an exception.

In pointed comment on the Roman Catholic drive for parochial school aid the *Detroit News* editorialized: "All the states decree . . . that all children shall be educated at public expense because an educated citizenry is essential to our form of government. . . . No one is being taxed for the education of his own children; all are being taxed for the education of everyone's children, to everyone's ultimate benefit. They decree as well that what the community pays for on such a vast scale it must control. . . . Like it or not, that is what our state constitutions provide. No child is a 'second class citizen,' for no child is barred from these schools."

✦

Silver Spring Suit Dismissed; Nature of Decision Explained

A taxpayers' suit challenging use of public land and public funds for a hospital to be operated in Silver Spring, Md. by the Roman Catholic Sisters of the Holy Cross has been dismissed in a decision signed by Chief Judge Patrick M. Schnauffer and Judge Thomas M. Anderson.

Glenn L. Archer, executive director of POAU immediately indicated that his organization would continue its interest in the Silver Spring hospital situation. "After consultation among our attorneys, we have decided not to appeal this particular case," he said. "There are numerous instances of this kind of clerical encroachment around the country and some offer better fact situations than that at Silver Spring.

"Actually, the Silver Spring case turned on a technical issue and involved merely a technical defeat. The real issue with which we are concerned has yet to be adjudicated. The argument that past payments of public funds could not be enjoined is not valid against new and continuing appropriations. We feel, therefore, that as soon as Hill-Burton funds have been paid to the sisters of the Holy Cross there will be legal ground for a new challenge to this operation.

"We do feel that the suit by Montgomery County residents has performed a useful, educational service. This was manifest in the public awareness of this problem in the controversy over the Southeast Hospital in the District of Columbia where a similar sectarian takeover of a public hospital has been successfully resisted."

✦

Quote of the Month

The "wall of separation" argument is used today as a means of denying parental rights conferred by the First Amendment of the U. S. Constitution, e.g., through attempts to make it difficult for the parent who wishes his children to get a Christian education by denying rights of transportation, free lunches, schools, and through endeavors to drive the Catholic schools out of business by taxation. . . . Thus, the enemies of the Catholic schools discriminate against Catholic parents and children on the sole ground that they are Catholics. Both are penalized by the very fact of their religion.

—Statement by Msgr. Timothy F. O'Leary, supt. of schools for the archdiocese of Boston. Inserted in the "Congressional Record," Aug. 22, 1960 by Thomas J. Lane (D-Mass.)



POAU attorneys have announced that the Mill Creek case will be appealed. The decision of the Missouri circuit court approved resale of publicly acquired land to St. Louis University, a Jesuit institution of the Roman Catholic Church. The loss to the public in the resale was alleged to be in excess of \$6,000,000.

* * *

Judge Robert L. Aronson, who found favorably to St. Louis University in the Mill Creek case, has denied a suit initiated by Archbishop Joseph E. Ritter to recover title to a five acre site which the archdiocese had donated for a park in 1917. Archbishop Ritter filed the suit following a condemnation award of \$33,000 to the city.

* * *

Seven women, accompanied by 14 children, halted a public school bus near St. Louis on Sept. 18. They were demonstrating in favor of tax-supported bus transportation for their children who, they said, attended parochial schools. The driver talked them into leaving the bus, saying that transportation of the children was against the law since they were not attending public school.

* * *

A zoning ordinance in Mt. Lebanon Township, Pittsburgh, which precludes construction of a church, rectory, convent or school, is being challenged in court by the Roman Catholic diocese. The law prohibiting

institutions on the major arteries of Sleepy Hollow Rd., Briarwood Ave., and Country Club Dr. was defended by township officials as part of a master plan to insure best use of the land. They also pointed out that 45% of tax-exempt religious property in the township was already owned by the Roman Catholic Church.

* * *

Sectarian books may now be purchased by school libraries in California according to a ruling by Attorney General Stanley Mosk. Such books may not be used in classroom work but may, under an amendment to the school law passed in 1959, be purchased by school libraries.

* * *

The Montclair, N. J., Board of Commissioners has been charged with religious discrimination for refusing permission to build an addition to a Catholic grammar school. Complaint has been filed with the Division against discrimination of the State Department of Education by James J. McMahon, chairman of the New Jersey State Knights of Columbus Committee on Religious and Civil Rights.

* * *

The Wesleyan Methodist Church, North Carolina Conference, has adopted a resolution protesting against a state law which requires churches to withhold state income tax from pastors' salaries.

* * *

The county welfare board at St. Paul, Minn., on persistence by Protestant leaders, modified its ban on birth control information. It will in the future refer clients to the city-county hospital where they may obtain it.

Coercive Tactic to Enforce Canon 1374 in Colleges Revealed

A new strategy by Roman Catholic secondary schools to force their graduates into Catholic colleges has been exposed by *College Board Review*, official publication of the College Entrance Examination Board. In an attempt to discourage the desire of Catholic young people for a broader type of education at the college level, parochial school administrators have hit upon the device of refusing to send recommendations or transcripts to such institutions.

Jonathan Pearson III, admissions officer at Union College, Schenectady, charged that in his experience such a policy seemed to be definitely in force. He stated that certain parochial school administrators "consistently" refuse to sign transcripts or recommendations for their graduates who have indicated their intention to attend a non-Catholic college.

Intrigued by this report, Bernard Bard of the *New York Post* made a survey of admissions officers on the campuses of New York's colleges. His survey disclosed a pattern of obstruction and delay, if not outright refusal, to send such items to non-Catholic institutions. Henry S. Coleman, admissions director at Columbia, reported that "we run into this sort of thing every year." He said that parochial schools are "very much against" their graduates going to non-Catholic colleges.

Plea for Justice

He added that these officials will frequently send out purposely poor reports. "They grade them in the lowest possible category, usually in the bottom 10 percent," knowing that this will mean rejection. Simon Sussman, assistant registrar at Brooklyn College, recalled instances where the priest at the Newman Center on the campus there had intervened with a parochial school to get fair treatment for a Catholic applicant. Coleman said that parochial pupils and parents often had to "battle it out" with uncooperative parochial schools to get a fair shake in the matter of transcript and recommendation.

Msgr. Raymond P. Rigney, associate superintendent of schools of the New York Archdiocese, admitted that the practice existed but said it prevails in only a small segment of the Roman Catholic schools.



Fingers in the Pies

Senator Kennedy's Credo

(Continued from page 1)

"The state is competent to deal with (concerns of the natural order)" said Fr. Weigel, "and it is autono-

Church Censor in Action

"To the Editors:

I was disappointed and disgusted to observe in the note accompanying the article "Eisenhower and the New President" (by Richard H. Rovere, May) a reference to the fact that the author (wrote) the book "Senator Joe McCarthy" and that you should give that as a token of esteem. . . .

In my opinion Rovere's book is the most disgraceful publication that has come off the press in recent years. . . . A person who could write such a book should not be allowed to write anything else for decent people to read and the fact that you allow him to write the lead article in your magazine raises a serious question in my mind as to whether it is worthy of any further consideration.

I note that you have published our advertisement "Who Are These Million Men They Call Knights" "on the left-hand page near the back of the book. . . . This is another indication of your lack of consideration for things that are worthy. . . . I am going to give serious thought to the question as to whether we should not discontinue entirely the publication of advertising in *Harper's*.

Luke E. Hart, Supreme Knight
Knights of Columbus
New Haven, Conn."

—*Harper's*, July, 1960

mous, free, and authoritative in its decisions." He added that while a Catholic civil official could not abandon the morality of his church, "the attempt to impose one moral theory or another is not the function of the statesman. Here he takes his lead from the consensus of the community."

Comment from Protestant leaders indicated that they found scant comfort in Fr. Weigel's "double life" theory.

+

Bishops' Statements

(Continued from page 2)

Another 1948 Statement

There was another statement made in the name of all the American Catholic bishops on Nov. 21, 1948. Prior to it, on March 8, 1948, the Supreme Court had handed down its famous decision in the McCollum case, a decision which hardened and finalized the barrier against tax funds for churches and their institutions. Catholics immediately attacked separation of church and state as the court had defined it. The bishops' statement of Nov. 21 bitterly denounced separation as "the shibboleth of doctrinaire secularism" and called on all Catholics to work "peacefully, patiently and perseveringly" to destroy this concept and to put in its place a "separation" under which all Catholic schools could be financed from public funds. The document, subtly and cleverly worded as it is, conveys this unmistakable meaning. If the bishops' idea of "separation" prevails, the door will be opened wide for church subsidies.

The Roman Catholic Church wages a continuous propaganda campaign to impose its own interpretation of the constitution on the American people. Bishop Lawrence J. Shehan recently seized an opportunity at a

Red Mass in Washington, D. C. with Chief Justice Earl Warren in attendance, to lecture the Supreme Court on the way the bishops want the First Amendment re-interpreted. He took the approved bishops' line that Catholic schools are entitled to the same tax support as public schools. If this is separation of church and state, then what is union of the two?

Senator Kennedy was dead wrong when he said the bishop's statement of 1948 favored separation of church and state. The exact opposite is the truth. Yet a public which does not know these facts is easily befuddled and lulled.

Correction

In our October issue, page 7, DePaul University should have been DePauw University, Greencastle, Ind.

A frank film on a sensitive subject of deep concern to men and women who believe in the separation of church and state.

BOYCOTT

A revealing 33-minute film of exceptional power.

16 mm. sound track black and white

\$17.50 rental

For booking forms, write

FILM DEPT., POAU
1633 Mass. Ave., N.W.
Washington 6, D. C.

Second-Class Postage Paid at Washington, D. C.

CHURCH AND STATE

1633 Massachusetts Ave., N. W., Washington 6, D. C.

Return Postage Guaranteed

Subscribe Today

Minimum gift of \$5 includes \$3 for year's subscription to *Church and State*

() New () Renewal

\$..... enclosed

Name

Street

City Z. State

POAU 1633 Massachusetts Ave., N.W.
Washington 6, D. C.